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New suit filed in smelter issue

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Another lawsuit has been filed in Kay County District Court this week against mining giant Freeport-McMoRan.

The suit, listing 18 plaintiffs is claiming the years of pollution generated by the Blackwell Zinc Smelter has resulted in personal injury and they are seeking an undetermined amount of money damage.

Also listed as defendants in the suit are Cyprus Amax Minerals Co., Phelps Dodge Corp., Santa Fe Railway Co. and Burlington Northern Railroad.

Plaintiffs are Greg Brown, Katrina Brown, Kathy Williamson, Gloria Webb, Anthony Looper, Ronda Lafferty, Mary Johnson, Kim Jernigan, Derrick Fleming, Brenda Dollarhide, Carolyn Wilson, Jennifer Swope, Cynthia Shear, Kelle Shultz, April Proctor, Debra Payne, Linda Ferda and Cheryl Paige.

"This new legal action is a companion case to the class action lawsuit filed against the mining company Freeport-McMoRan on behalf of all Blackwell residents," said plaintiff spokesman Eric Wetzel.

"The 18 plaintiffs in this case were chosen as a representative sample of the larger community. They traveled to Boston, Mass., where they received medical tests conducted by a team of the world's leading public health experts, including a past president of the American Public Health Association. These doctors found that each of the 18 residents in this group suffers neurological damage resulting from exposure to toxic waste left behind by the Blackwell Zinc Smelter."

He went on to say, "we believe other Blackwell residents are suffering from similar effects. We also believe area children are at risk of developing these health problems. The previously filed class action demands that the mining company fund the same sort of health tests and related medical treatment for all Blackwell residents."

This is the second pollution-related suit filed against Freeport. The first was April 14, 2008 when a class action suit claiming property damage was filed.

An attempt to have that case heard in federal court ended after an appeals court ruling earlier this year sent the case back to district court.

Payne County District Judge Donald L. Worthington will preside over that case.

The class action suit names plaintiffs, Bob Coffey, Loretta Corn, Larry Jones, Mary Ellen Jones, John Doe, "and all those similarly situated," are claiming contamination of their property and want additional environmental remediation and medical monitoring and money damages for loss of property value.

Also listed as class action plaintiffs are anyone who lives in Oklahoma and owns property in Blackwell or within a five mile radius of the smelter site and anyone who lived in Blackwell or within the five mile radius of the smelter over the years.

It had originally included the Blackwell Industrial Authority as a defendant but that group was dropped off the list.

In October, the City of Blackwell filed suit against Freeport seeking money judgment for pollution damages.

No dates have been set for any of the cases to be heard.

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